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The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00353

CASE NAME: MTR OF ALAN A MATARAZZO

HEARING:

Hearing Re: REVIEW HEARING ON FINAL ACCOUNTING.

COUNSEL:

JAMES V ORTOLANI	(CPE)...LUNDBERG & BAXTER LLP
ALAN A MATARAZZO	(CEP)...
CYNTHIA S REUTER	(PET)...LUNDBERG & BAXTER LLP
BRIAN BIXBY	(OBJ)...

GENERAL INFORMATION

Letters of Successor Conservatorship issued to Public Guardian on 9/5/06

THIS CASE IS SET FOR HEARING ON Accounting Review for prior conservator, James Ortolani, for the period 10/02 – 9/5/06

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting not filed

RECOMMENDATION:

When an accounting is not filed the Court shall take action as described in Pr.C. §2620.2.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00451

CASE NAME: MATTER OF JOLEE BONILLA

HEARING:
Accounting Review

	COUNSEL:
ARNOLD FROST	(CPE)...VALERIE ROSS
SANDRA FROST	(CPE)...VALERIE ROSS
HENRIETTA PURTLE	(CPE)...VALERIE ROSS
JOLEE BONILLA	(CEP)...
CYNTHIA REUTER	(CPE)...PRO/PER
BERNARD M BIDART	(TP)...PRO/PER

GENERAL INFORMATION

Continued from 8/18/06. First accounting is due from Arnold Frost for the period 10/19/05 – 10/19/06.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Accounting is not filed, but may be premature as accounting period would end 10/19/06. Court may wish to continue 60 days.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00461

CASE NAME: MATTER OF NATALIE L SESSA

HEARING:

Motion re: CLARIFY/AUTHORIZE UNDR LTTERS TEMP CONSERV filed by
Petitioner BRUNO L SESSA

COUNSEL:

BRUNO L SESSA	(CPE)...PRO/PER
NATALIE L SESSA	(CEP)...
PUBLIC GUARDIAN	(SC)...RONALD D REITZ, COUNTY COUNSEL

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00513

CASE NAME: MTTR OF DIANNE DIENST

HEARING:

Hearing Re: FINAL ACCTING AND TERM TEMP CONSERVATORSHIP.

COUNSEL:

STEPHANIE DIENST (PET)...DAVID W BROWN
DIANNE DIENST (CEP)...

GENERAL INFORMATION

Conservatee died on 3/23/06

THIS CASE IS SET FOR HEARING ON Petition Terminating Conservatorship, Final Accounting and Petition for Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file notice of hearing and proof of service.
2. Petitioner alleges the estate did not have any assets with which to account.
3. Petitioner waives fees.
4. Attorney requests fees of \$967.50, of which \$584.50 is a credit in attorney/client trust account, leaving a balance of \$383.00. Billed at \$200/hour for 9.8 hours. Itemized. JTD

RECOMMENDATION:

Need notice and then court's discretion.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00543

CASE NAME: MATTER OF ULRYC L WILLIAMSON

HEARING:
Petition for Appointment of Conservator

COUNSEL:
GARY WILLIAMSON (PET)...PRO/PER
ULRYC L WILLIAMSON (CPE)...JANET M HERRING

GENERAL INFORMATION
Temporary orders granted on 8/29/06

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person and estate by son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file notice of hearing and proof of service.
2. Petitioner requests bond be waived as estate is minimal. Bond waiver is applicable with small estates per Pr.C. §2323, 2628. JTD
3. Petitioner seems medical and dementia powers. Medical Capacity Declaration supports only medical powers only. Medical Capacity Declaration also indicates proposed conservatee's ability to attend hearing.
4. Court Investigator's report is filed and proposed conservatee wishes to contest establishment of conservatorship.
5. Need report of counsel, Attorney Herring, attorney for proposed conservatee.
6. Petitioner seeks 2590 powers. Court may wish to order any sales of real property or requests for fees be first approved by the court. JTD
7. Need return of Citation or proposed conservatee's appearance.

RECOMMENDATION: Set for contested hearing. Alternatively, if approved, court to set future dates. Set hearing on filing inventory & appraisal for 4/25/07. Set hearing on Accounting review for 10/24/07. Accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS00544

CASE NAME: MATTER OF DOROTHY MAE NAVARRETE

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ROBERTA SALGADO (CPE)...PRO/PER
DOROTHY MAE NAVARRETE (CEP)...

GENERAL INFORMATION
Temporary letters issued 8/29/06

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person and estate, by daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file Notice of Hearing and proof of service.
2. Petitioner requests bond be waived as estate is minimal. Bond waiver is applicable with small estates per Pr.C. §2323, 2628. JTD
3. Petitioner seeks medical powers. Need Medical Capacity Declaration.
4. Need Court Investigator's report.
5. Need return of Citation.

RECOMMENDATION:

If approved, court to set future dates. Set hearing on filing inventory & appraisal for 4/25/07. Set hearing on Accounting review for 10/24/07. Accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS109

CASE NAME: IN THE MATTER OF CHRISTINE MARIE MORENO

HEARING:

Hearing Re: PTN TO UNBLOCK CONSERV ACCT & POST BOND.

COUNSEL:

GLORIA MORENO (CPE)...JANET M HERRING
CHRISTINE MARIE MORENO (CEP)...

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS352

CASE NAME: IN THE MTR OF MICHAEL FRESQUEZ

HEARING:

Hearing Re: PTN TO CLOSE PPF BANK ACCT;AUTH MONTHLY WDRWLS ETC.

COUNSEL:

MICHAEL FRESQUEZ (CEP)...
ANNA FRESQUEZ (PET)...JANET M HERRING

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VC VS384

CASE NAME: IN THE MATTER OF PEGGY L KULAKOWSKI

HEARING:

OSC re: FAILURE TO FILE FINAL ACCTING/DISCHARGE

COUNSEL:

MICHAEL KULAKOSWKI (PET)...CHRISTOPHER R ABERNATHY
PEGGY L KULAKOWSKI (PCE)...
YVETTE BOWMAN (CPE)...

GENERAL INFORMATION continued from 3-24-06, 6-2-06 & 8/11/06. Citation issued 8/11/06.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The Conservatee is deceased. Court set matter for final accounting. No accounting has been filed.
2. Need proof of Citation.

RECOMMENDATION:

None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01698

CASE NAME: MATTER OF ROBERT M & MARCELLA J VILLANUEVA

HEARING:

Hearing Re: PETN FOR TERMINATION OF GUARD OF ROBERT ONLY.

COUNSEL:

LISA M CHAVIRA (PET)...PRO/PER
ROBERT M VILLANUEVA (MIN)...
MARCELLA J VILLANUEVA (MIN)...
MICHELE VILLANUEVA (OBJ)...PRO/PER

GENERAL INFORMATION

Letters of Guardianship originally issued 8/5/05

THIS CASE IS SET FOR HEARING ON Petition for Termination filed by mother, as to minor (Robert) only, minor 15

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner/mother alleges guardian has agreed to return minor Robert to her care since 8/25/05
2. Minor (Robert) has signed waiver and consent.
3. Petitioner alleges whereabouts of father are unknown. Does court wish to deem this statement as due diligence?

RECOMMENDATION:

Court's discretion.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01826

CASE NAME: MTR OF SHANICE KARA VERA

HEARING:
Hearing Re: FIRST ACCOUNT AND REPORT.

COUNSEL:
MARGARET OLIVA (PET)...PRO/PER
FRANK PEREDO (PET)...PRO/PER
SHANICE KARA VERA (MIN)...

GENERAL INFORMATION
Accounting covers period 7/1/05 – 3/31/06

THIS CASE IS SET FOR HEARING ON First Account Current

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file notice of hearing and proof of service.
2. Petitioner waives fees for this accounting period.
3. All guardianship funds are continued to be held in blocked account.

RECOMMENDATION:
None

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS01933

CASE NAME: MATTER OF AUSTIN CHASE COTTINGIM

HEARING:
Hearing Re: RECEIPT OF EC730 REPORT.

COUNSEL:

DICK FORTYUNE	(PET)...	PRO/PER
TERESA FORTYUNE	(PET)...	PRO/PER
AUSTIN CHASE COTTINGIM	(MIN)...	
DESIREE FORTYUNE	(OBJ)...	PRO/PER
JOHN BARNABY	(PRO/PER)...PRO/PER
JON GOTTINGIM	(PRO/PER)...PRO/PER

GENERAL INFORMATION

Court Trial continued from 8/3/06 for parties to complete 730 evaluation

THIS CASE IS SET FOR HEARING ON Receipt of EC 730 Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Find out status of 730 evaluation

RECOMMENDATION:

None

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02012

CASE NAME: MTR OF QUIANNA A LIVINGSTON

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

PAMELA JOHNSON	(PET)...	PIERPONT M LAIDLEY
LEON JOHNSON	(PET)...	PIERPONT M LAIDLEY
QUIANNA A LIVINGSTON	(MIN)...	

GENERAL INFORMATION: continued from 7/21/06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. An inventory and appraisal has been filed showing assets of -0-. This is a partial inventory and appraisal. When will final be filed? **Declaration of counsel filed minor is entitled to VA benefits (unknown amount). Counsel requests a continuance for 90 days in order to allow Dept. of Veterans Affairs to respond with benefit amount in order than a final inventory may be filed.**

RECOMMENDATION:

Court should determine when final will be filed and then set control date to ensure compliance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02050

CASE NAME: MATTER OF EMILY, ISAIAH & AALIYAH BOURGEOIS

HEARING:
Petition for Appointment of Guardian

COUNSEL:
VIRGINIA RIENTORD MOLINA (PET)...A FAMILY LAW OFFICE
EMILY BOURGEOIS (MIN)...
ISAIAH BOURGEOIS (MIN)...
ALIYAH BOURGEOIS (MIN)...
ERICA ESTRADA (OBJ)...PRO/PER

GENERAL INFORMATION

continued from 2/3/06, 5/5/06 & 7/21/06. Mother appeared and objected. Court ordered mother to serve and file written objections prior to this hearing or objections will be deemed waived. Court further ordered both parents to submit to two (each) random drug testing as directed by petitioner. Petitioner to advance the cost of testing subject to reimbursement. On 7/21/06, Court referred matter to Court Investigator. We are awaiting report.

Temporary letters re-issued 9/18/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by maternal grandmother, minors 7, 4 & 3

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. At the time of the ex parte, the paternal grandmother was given visitation pursuant to stipulation of the parties.
2. Mother has been ordered to drug test. Do not see results in file.
3. Court may wish to review confidential screening form.
4. Written objections were filed by mother on 4/19/06 per register of actions. However, the objections are not in the file for review.

5. Response to objections filed by proposed guardian alleging mother is not yet suitable to care for children.
6. Need Court Investigator's report.

RECOMMENDATION:

None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02079

CASE NAME: MTR OF AIDAN RAY BRANDON (MCKAY)

HEARING:
Petition for Termination of Guardianship

COUNSEL:
PEBBLES R DAVIS (PET)...PRO/PER
AIDAN RAY BRANDON (MCKAY) (MIN)...
CHRISTOPHER BRANDON (PET)...PRO/PER
SINEAD BRANDON (PET)...PRO/PER

GENERAL INFORMATION
Letters of Guardianship originally issued 6/7/06

THIS CASE IS SET FOR HEARING ON Petition for Termination filed by father and father,
minor 10 months

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioners allege guardian perjured herself in two separate courts (facts not specified). In addition, petitioners are concerned for the safety of minor as guardian is under medical care/prescriptions.
2. Need to file notice of hearing and proof of service.
3. No objections are filed at the time of the review of this file.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02120

CASE NAME: MTR OF GLEN ALLAN MARS JR

HEARING:
Hearing Re: REVIEW VISITATION/FCS REPORT.

COUNSEL:
DOLORES YVONNE MARS (PET)...PRO/PER
GLEN ALLAN MARS JR (MIN)...
SARA SLOSSON (OBJ)...PRO/PER

GENERAL INFORMATION

Continued from 8/18/06. Court re-refers matter to Family Court Services. Mother agrees to submit to hair follicle test.

THIS CASE IS SET FOR HEARING ON Review Visitation/FCS Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need Family Court Services Report.
2. Test results in file.

RECOMMENDATION:
None

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02190

CASE NAME: MATTER OF ANIYA SCHWANN

HEARING:
Petition for Appointment of Guardian

COUNSEL:
SHANNON BULLARD (PET)...PRO/PER
ANIYA SCHWANN (MIN)...

GENERAL INFORMATION temporary letters issued 7-12-06
**Continued from 8/18/06 at request of Court Investigator. We are awaiting report.
Court further orders mother to file written objections by this hearing date.**

THIS CASE IS SET FOR HEARING ON Petition for guardianship, person only, by cousin,
minor 1.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Determine degree of kinship of cousin. If more distant than 1st cousin, need D.C.S. report.
2. Need to file proof of personal service on mother and father or due diligence declaration(s).
3. Need to file proof of mail service on paternal grandparents and maternal grandparents or due diligence declaration(s).
4. Need Court investigator report.
5. No written objections are filed by mother at the time of the review of this file

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02204

CASE NAME: MATTER OF KAMERON CASINO & SURAYA WEBB

HEARING:
Petition for Appointment of Guardian

	COUNSEL:
LYNETTE R CASINO	(PET)...PRO/PER
JOE B CASINO	(PET)...PRO/PER
KAMERON CASINO	(MIN)...
SURAYA WEBB	(MIN)...

GENERAL INFORMATION
Temporary letters issued 9/12/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by
maternal grandparents, minors 4 and 1

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file notice of hearing and proof of service per order prescribing notice.

RECOMMENDATION:
None

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02230

CASE NAME: MATTER OF EMILY LYNN CLOTHIER

HEARING:
Petition for Appointment of Guardian

COUNSEL:
DANIEL L PLETSCH (PET)...PRO/PER
DIANE A PLETSCH (PET)...PRO/PER
EMILY LYNN CLOTHIER (MIN)...

GENERAL INFORMATION
Temporary letters issued 8/23/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by
maternal grandfather and spouse, minor 3

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;
1. Parents were both present at ex parte hearing and made no objection.
Court could deem appearance as waiver of notice.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02231

CASE NAME: MATTER OF CURTIS RUSSELL ET AL

HEARING:
Petition for Appointment of Guardian

COUNSEL:

CLIFFORD RUSSELL	(PET)...PRO/PER
ELIZABETH RUSSELL	(PET)...PRO/PER
CURTIS RUSSELL	(MIN)...
CAMERON RUSSELL	(MIN)...
TAYLOR ROBERTS	(MIN)...

GENERAL INFORMATION

Temporary orders granted on 8/24/06

Court granted petition to fix residence outside California on 9/6/06 (petitioners are moving to Texas)

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by maternal grandparents, minors 13, 9 & 6

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioners alleges that they intend to seek guardianship of minors in the State of Texas. Does court wish to continue temporary orders until proof of Texas guardianship is filed?
2. Need proof of personal service on father or due diligence declaration.
3. Need proof of personal service on mother.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02232

CASE NAME: MATTER OF DEVONTAE E FLOWERS

HEARING:
Petition for Appointment of Guardian

COUNSEL:
EDDIE T ABACHERLI (PET)...PRO/PER
DEVONTAE E FLOWERS (MIN)...

GENERAL INFORMATION
Temporary letters issued 8/28/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by non-relatives, minor 2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Due diligence declaration filed as to mother indicating efforts to locate mother were unsuccessful. JTD
2. Due diligence declaration filed as to father indicating name/whereabouts are unknown (no father listed on minor's birth certificate submitted). JTD
3. Due diligence declaration filed as to PGPs indicating names/whereabouts are unknown. JTD
4. Due diligence declaration filed as to MGF indicating efforts to locate MGF were unsuccessful. JTD
5. Due diligence declaration filed as to MGM indicating MGM is deceased.
6. Need DCS report as petitioner is a non-relative.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE DAVID A WILLIAMS

DATE: 10/20/06 TIME: 8:30 DEPT: V12G

CASE #: VG VS02233

CASE NAME: MATTER OF CYON MCCLAIN

HEARING:
Petition for Appointment of Guardian

	COUNSEL:
TRACEY GAYLE	(PET)...PRO/PER
CYON MCCLAIN	(MIN)...

GENERAL INFORMATION
Temporary letters issued 8/29/06

THIS CASE IS SET FOR HEARING ON Petition for Guardianship, person only, by non-relative, minor 16

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Need to file proof of personal service on mother and father or due diligence declaration.
2. Need proof of personal service on minor.
3. Need to file proof of mailed service per order prescribing notice.
4. Need DCS report as petitioner is a non-relative.

RECOMMENDATION:
None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS00002

CASE NAME: IN THE ESTATE OF ANTHONY J CRONATO

HEARING:
Hearing Re: (STATUS OF) FINAL DISCHARGE.

COUNSEL:
ANTHONY J CRONATO (DEC)...
CATHY GAROFOLO (PET)...DIANA CARLONI NOURSE

Note: Calendar indicates that this is on for final discharge. It is not. Final accounting has not yet been approved.

INFORMATION continued from 8-12-05, 10-21-05, 11-4-05, 3-10-06, 5-12-06 & 9-8-06.
At the time of the 11-4-05 hearing counsel filed a status report/declaration indicating that the distribution in file did not equal 100%. As this was an ancillary probate the file in Florida was reviewed by counsel. It was learned that the beneficiaries and heirs entered into a stipulation determining the distribution. Counsel was attempting to get verification and/or declarations from the Florida counsel re distribution.

THIS CASE IS SET FOR HEARING ON first and final account and report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This is an ancillary probate. Decedent was a resident of Florida.
2. Petitioner retained counsel and the estate was originally opened in 1993.
Petitioner's prior counsel was to handle all matters including preliminary change of ownership of the sole asset of the estate. The attorney failed to complete any of his duties. As a result the property of the estate was sold at a tax sale without notice to petitioner. The attorney was later disbarred. The current attorney determined that the asset had been lost to tax sale, but went about collecting the excess proceeds of the sale. A business decision was made not to attack the tax sale, as cost would outweigh benefit.

3. There are 2 other estates involved in this matter that own a portion of the asset (matters 16 and 20 below)
4. Statutory fees are \$248.32.
5. Attorney requests extra-ordinary fees of \$1,000. Billed at \$200/hour for 7.6 hours
6. Attorney requests reimbursement of costs advanced. However, as there are no schedules attached it is not possible to indicate what costs are sought to be reimbursed. Also the itemization for the extra-ordinary fees would be in one of the schedules as well.
7. Ms. Carloni signed the verification. This is not permitted as her client is fiduciary and must sign the verification. Pr.C. § 1023.

RECOMMENDATION:

Require proper verification and then court's discretion. Once approved, set hearing on filing receipts and final discharge for 11/21/07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002398

CASE NAME: ESTATE OF GEORGE A STOUP

HEARING:
OSC re: WHY THE PERSONAL RPSENTVE SHOULD NOT BE PUNISHED

COUNSEL:
JONI M VELIS (PET)...HARTNELL, LISTER & MOORE
GEORGE A STOUP (DEC)...

GENERAL INFORMATION

Continued from 7/7/06. Court ordered petitioner to reimburse county \$40 for service of Citation.

THIS CASE IS SET FOR HEARING ON OSC why personal representative should not be punished for failure to file an accounting and/or status report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Since 7/7/06, petitioner did file a status report indicating the estate was not in a position to be closed as the estate real property needed to be liquidated. The court granted the estate administration to continue and set an accounting review date for 10/31/07.

RECOMMENDATION:

Status report was filed and approved by the court on 9/8/06. The OSC has been satisfied. Court's discretion.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002434

CASE NAME: ESTATE OF BARBARA HELEN GERSTKEMPER

HEARING:
Hearing re Final Discharge

COUNSEL:
JOHN C GERSTKEMPER (PET)...PRO/PER
BARBARA HELEN GERSTKEMPER (DEC)...

GENERAL INFORMATION
Order for Final Distribution granted on 10/13/05

THIS CASE IS SET FOR HEARING ON filing receipts/final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Receipts are filed.
2. Need to submit final discharge declaration/order. It appears that counsel attempted to submit final discharge but it was returned to counsel on 8/31/06 in order that the new judicial council form could be used (DE-295).

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002464

CASE NAME: ESTATE OF MARK DENNIS PEARSON

HEARING:
Hearing re Final Discharge

COUNSEL:
JOHN PEARSON (PET)...FARMER & RIDLEY
MARK DENNIS PEARSON (DEC)...

GENERAL INFORMATION
Order for Final Discharge granted 9/8/05

THIS CASE IS SET FOR HEARING ON filing receipts/final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Receipts are filed.
2. Need to submit final discharge declaration/order. It appears that counsel attempted to submit final discharge but it was returned to counsel on 8/18/06 in order that the new judicial council form could be used (DE-295).

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002550

CASE NAME: ESTATE OF SHELAH GABRIELSON

HEARING:

Hearing Re: DETERMINING WHETHER A CLAIM WAS FILED.

COUNSEL:

JANICE MICKELSON (PET)...ALVIN G BUCHIGNANI
SHELAH GABRIELSON (DEC)...

GENERAL INFORMATION: continued from 6/16/06 & 7/21/06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON first and final report on waiver of account and determining whether a claim was filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. There is an heir of the estate who is incarcerated. Notice must be sent to the Victim Compensation and Government Claims Board in accord with Pr.C.§ 216. **Notice is filed and notice was given on 6/12/06. Claimant has 60 days from the date of notice to file its claim, or to 8/11/06.** No claim has been filed with the Court.
2. Statutory fees are \$10,551.34.
3. Please file verified supplement indicating if cash has been invested and maintained in an interest bearing account. (Pr.C.§ 1064(a)(5)). **Supp: all cash has been invested in interest-bearing accounts.**
4. Please file verified supplement indicating any family or affiliate relationship between the fiduciary and any agent hired by the fiduciary, if any. (Pr.C.§ 1064(a)(4)). **Supp: petitioner has not hired any agent with a family or affiliate relationship to petitioner.**

RECOMMENDATION:

Inquire whether the Government Claims Board has filed a claim with petitioner as personal representative. If not, recommended for approval. If approved, set hearing on filing receipts/final discharge for 11/21/07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002561

CASE NAME: ESTATE OF EDWARD GERALD WILLIAMS

HEARING:
Accounting Review

COUNSEL:
MELANIE JANE WILLIAMS (PET)...DAVID M BERGER
EDWARD GERALD WILLIAMS (DEC)...
BOND SERVICES OF CALIFORNIA (TP)...PRO/PER

GENERAL INFORMATION

Letters of Administration issued 12/1/05 (limited authority, \$20,000 bond)

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. No accounting and/or status report is filed.

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002580

CASE NAME: ESTATE OF WENDY FERNE PHILLIPS

HEARING:
Accounting Review

COUNSEL:

SHARON MALEKOW (PET)...JULIA M WOOD
WENDY FERNE PHILLIPS (DEC)...
SHARON MALEKOW (TP)...ZUMBRUNN LAW CORPORATION
STATE OF CALIFORNIA FRANCHISE (PRO/PER)...PRO/PER

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002597

CASE NAME: ESTATE OF ETHEL RUTH HORINE

HEARING:

OSC re: WHY PERSONAL REPRESENTATIVE SHOULD NOT BE PUNISHED

COUNSEL:

MARTIN LEROY HORINE (PET)...HART, MIERAS & MORRIS, INC.
ETHEL RUTH HORINE (DEC)...

GENERAL INFORMATION

Continued from 7/7/06. Court ordered petitioner to appear if accounting is not completed.

THIS CASE IS SET FOR HEARING ON O.S.C. re why personal representative should not be punished for contempt for failure to file accounting review/status report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This matter was set when the petitioner failed to file accounting or status report and failed to appear at the time set for hearing.
2. Administrator has been served. Court has bench warrant jurisdiction.
3. Accounting or status report still not filed.

RECOMMENDATION:

Court's discretion.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002667

CASE NAME: ESTATE OF RAMON MONTION

HEARING:
Accounting Review

COUNSEL:
MARIA CRUZ MONTION (PET)...ANNE SCANLON ZIMMERMAN
RAMON MONTION (DEC)...

GENERAL INFORMATION

Letters of Administration issued 9/9/05 (full authority, no bond)

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. No accounting and/or status report has been filed.

RECOMMENDATION:
Find out status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002688

CASE NAME: DERRICK DARNELL TURNER

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
DEMOND L TURNER (PET)...JM WOOD AND ASSOCIATES
DERRICK DARNELL TURNER (DEC)...
ANGELA P TURNER (PET)...REDWINE AND SHERRILL

GENERAL INFORMATION: continued from 7/14/06.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Inventory filed 7/28/06.

RECOMMENDATION: Take matter off calendar.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002703

CASE NAME: ESTATE OF ROBERT P HAMMOND

HEARING:
Accounting Review

COUNSEL:
GINA STEWART (PET)...WILLIAM J WATERS ESQ
ROBERT P HAMMOND (DEC)...

GENERAL INFORMATION: continued from 8/25/06

THIS CASE IS SET FOR HEARING ON accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner has filed a status report indicating that the estate is in a condition to close, but that the administrator wishes to keep the estate open for a period to determine the condition of the real estate market for purposes of potential sale.
2. Petitioner previously indicated that they anticipate preparing a final accounting within the next 30 days.

RECOMMENDATION:

Recommended for approval absent objection. Set hearing for the next status report and/or account for 12-13-06. Any accounting to be filed 30 days in advance. Estate to remain open until that time.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002763

CASE NAME: ESTATE OF ROBERT ARTHUR GWIN

HEARING:
Accounting Review

COUNSEL:
THOMAS A GWIN (PET)...DAVID & TURNER
ROBERT ARTHUR GWIN (DEC)...

GENERAL INFORMATION: continued from 7/7/06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as set forth in Pr.C. § 11050. There is no bonding company to notice.

CASE #: VPRVS002763

CASE NAME: ESTATE OF ROBERT ARTHUR GWIN

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

THOMAS A GWIN (PET)...DAVID & TURNER
ROBERT ARTHUR GWIN (DEC)...

GENERAL INFORMATION continued from 4-28-06 & 7-7-06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The inventory and appraisal indicates that it is a corrected inventory and appraisal. The signature of the probate referee is a photocopy. If the second inventory and appraisal is corrected, why is the property listed on the first inventory and appraisal not on the second inventory and appraisal? Who appraised the securities and the automobile, etc.? These must be appraised by the probate referee. Also there is no appraisal for an item identified as "guidance technology". Was this submitted to the probate referee? File verified supplement.

RECOMMENDATION:

Require verified supplement.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002930

CASE NAME: ESTATE OF RUTHIE MAE DENNIS

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

VIVIAN DIANE WEST (PET)...OLLIE
RUTHIE MAE DENNIS (DEC)...

GENERAL INFORMATION

Petition to administer was granted on 5/5/06 with full authority under IAEA and required bond of \$46,000

THIS CASE IS SET FOR HEARING ON filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. No inventory is filed. However, Letters of Administration have not yet issued, nor has bond been posted. Thus, the inventory is not technically due.

RECOMMENDATION:

Continue the matter re inventory out for 4/18/07. Set hearing re bond status for 11/29/06.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002935

CASE NAME: ESTATE OF MICHAEL LEROY JOHNSON

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
GINA S JOHNSON (PET)...CAROLYN J SCHAUF.
MICHAEL LEROY JOHNSON (DEC)...

GENERAL INFORMATION: continued from 9/15/06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Only a partial inventory and appraisal has been filed. When will final be filed? File verified supplement.

RECOMMENDATION:
Court should determine when final will be filed. Set control date to ensure compliance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002946

CASE NAME: MTTR OF VESTLE RIDDLE

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
ELAINE MCDERMOTT (PET)...DONNASUE SMITH-ORTIZ
VESTLE RIDDLE (DEC)...

GENERAL INFORMATION
Letters Testamentary issued 5/10/06.

THIS CASE IS SET FOR HEARING ON filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Inventory is not filed (overdue by 1 month)

RECOMMENDATION:
Inquire re status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS00296

CASE NAME: ESTATE OF MARY GLICK

HEARING:
Hearing Re: FIRST & FINAL ACCT & REPORT ETC.

COUNSEL:
MARY GLICK (DEC)...
CATHY GARAFOLO (PET)...DIANA CARLONI NOURSE

GENERAL INFORMATION continued from 8-12-05, 10-21-05, 11-4-05, 3-10-06, 5-12-06 & 9-8-06. At the time of the 11-4-05 hearing the counsel for petitioner said the final corrections would be ready within 30 days.

THIS CASE IS SET FOR HEARING ON first and final account and report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This is an ancillary probate. Decedent was a resident of New York.
2. Petitioner retained counsel and the estate was originally opened in 1994. Petitioner's prior counsel was to handle all matters including preliminary change of ownership of the sole asset of the estate. The attorney failed to complete any of his duties. As a result the property of the estate was sold at a tax sale without notice to petitioner. The attorney was later disbarred. The current attorney determined that the asset had been lost to tax sale, but went about collecting the excess proceeds of the sale. A business decision was made not to attack the tax sale, as cost would outweigh benefit.
3. There are 2 other estates involved in this matter that own a portion of the asset. They are at pages 1 and 20 of this calendar.
4. Statutory fees are \$8.32. Petitioner waives fees
5. There are no assets available to pay extra-ordinary fees. Attorney and petitioner waive extra-ordinary fees.

6. Attorney requests reimbursement of costs advanced. However, as there are no schedules attached it is not possible to indicate what costs are sought to be reimbursed.
7. Ms. Carloni signed the verification. This is not permissible as her client is a fiduciary. The administrator must sign the verification. Pr.C. § 1023.

RECOMMENDATION:

Require proper verification of the petition. If approved, court to set hearing on filing receipts/final discharge for 11/21/07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002971

CASE NAME: ESTATE OF JOSE ANTONIO DE LEON JR

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
JOSEPH DE LEON (PET)...LAW OFFICE OF DALE K BETHEL
JOSE ANTONIO DE LEON JR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Final Inventory is filed 9/25/06.

RECOMMENDATION:
This matter may go off calendar.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS002976

CASE NAME: ESTATE OF WILMA D SCHAEFER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

CAROL H SCHAEFER (PET)...HORSPOOL & PARKER
WILMA D SCHAEFER (DEC)...

GENERAL INFORMATION

Letters Testamentary issued 5/19/06 (full authority, \$200,000 bond)

THIS CASE IS SET FOR HEARING ON filing Inventory & Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Inventory is not filed (overdue by 1 month)

RECOMMENDATION:

Inquire re status.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003056

CASE NAME: ESTATE OF SAMUEL NEVAREZ

HEARING:
Report Sale and Petition for Order Confirming Sale of Real
Property.

COUNSEL:
TANYA RENEE RAPP (PET)...THE GROSSMAN LAW FIRM A.P.C
SAMUEL NEVAREZ (DEC)...

Address	18830 Vine St., Hesperia, CA
Appraised value	\$175,000 but need to file Inventory & Appraisal
Sale price	\$175,000
First overbid	\$184,250
Deposit	\$3,000. Insufficient. Deposit must be 10% of purchase price unless there is FHA or VA financing per local rule 807.
Commission	4% or \$7,000 payable ½ to Cheryl Pacileo and ½ to Martha Salinas
Additional bond	None
Reason for sale	to pay expenses of administration
Exposure to market	listed for sale through Re/Max and placed in MLS
Notice	Need to file notice of hearing and proof of service. Also need proof of publication.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS00314

CASE NAME: ESTATE OF REBECCA FISHER AKA RHEA FISHER

HEARING:
Hearing Re: FIRST & FINAL ACCT & REPORT ETC.

COUNSEL:
REBECCA FISHER (DEC)...
CATHY GAROFOLO (PET)...DIANA CARLONI NOURSE

GENERAL INFORMATION continued from 8-12-05, 10-21-05, 11-4-05, 3-10-06 & 9-8-06.
At the time of the 11-4-05 hearing the petitioner's counsel indicated that the note corrections would be submitted within 30 days.

THIS CASE IS SET FOR HEARING ON first and final account and report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This is an ancillary probate. Decedent was a resident of New York.
2. Petitioner retained counsel and the estate was originally opened in 1994.
Petitioner's prior counsel was to handle all matters including preliminary change of ownership of the sole asset of the estate. The attorney failed to complete any of his duties. As a result the property of the estate was sold at a tax sale without notice to petitioner. The attorney was later disbarred. The current attorney determined that the asset had been lost to tax sale, but went about collecting the excess proceeds of the sale. A business decision was made not to attack the tax sale, as cost would outweigh benefit.
3. There are 2 other estates involved in this matter that own a portion of the asset. They are at pages 1 and 16 of this calendar.
4. Statutory fees are \$8.32.
5. Attorney requests reimbursement of costs advanced. However, as there are no schedules attached it is not possible to indicate what costs are sought to be reimbursed.

6. Ms. Carloni signed the verification. This is not permitted as her client is fiduciary and must sign the verification. Pr.C. § 1023.

RECOMMENDATION:

Require verification. If approved, set hearing on the filing of receipts/final discharge for 11/21/07.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003162

CASE NAME: THE NORMA JEAN CAROW TRUST

HEARING:

Hearing Re: FIRST ACCOUNT CURRENT AND REPORT ETC.

COUNSEL:

BRAD TURNER	(PET)...CALDWELL, KENNEDY & PORTER
NORMA JEAN CAROW	(DEC)...
DERON E LANE	(RES)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

Accounting covers period 12/15/05 – 8/16/06

Assets on hand: \$236,015.78 (of which \$15.78 is cash, \$235,000 is real property and \$1,000 is furniture/furnishings)

THIS CASE IS SET FOR HEARING ON 1st Account Current

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner requests fees of \$12,304.73 less \$9,763.74 that respondent is owed in reimbursement less \$101.38 in reimbursement of expenses, leaving a balance due of \$2,439.61. Billed at \$30/hour for 309 hours. A part of petitioner's fee request includes mileage which is not a reimburseable expense per local rule 909. Thus, court may wish to reduce fee request by \$666.98 or \$1,772.63. JTD
2. Attorney requests fees of \$3,695, of which \$1,800 has been paid, leaving a balance of \$1,895. Billed at \$200/hour for 15.2 hours, plus costs of \$355. Itemized. JTD

RECOMMENDATION:

RFA subject to court's determination of fees. If approved, set next accounting review for 10/22/08. Accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003217

CASE NAME: ESTATE OF DOROTHY MAE BYRON SMITH

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:
ALEX BYRON (PET)...SHEASBY & MIDDLETON PC
DOROTHY MAE BYRON SMITH (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with will annexed w/full authority under IAEA, no bond

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. All beneficiaries have waived bond. Estimated value of estate is real property only of \$278,323. JTD
2. Petitioner does not specify relationships of individuals listed on item 9 of the petition. File verified supplement with relationships.
3. Need to file proof of publication.

RECOMMENDATION:

If approved, set hearing on the filing of the inventory and appraisal for 4/25/07. Set hearing on accounting review for 10/24/07. Accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003218

CASE NAME: MATTER OF LADIMER CHESNICK

HEARING:
Petition to determine succession to Real Property

COUNSEL:
LAURA CHESNICK (PET)...DARIUS KHAYAT
LADIMER CHESNICK (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to determine succession to real property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner, surviving spouse of decedent, claims a 100% ownership interest in decedent's real property in this County (APN: 0451-421-09) pursuant to the laws of intestacy.
2. Petitioner also lists decedent's two adult children as surviving. Thus, per Pr.C. § 6401(c), decedent's estate would pass 1/3 to the surviving spouse and 2/3 to decedent's children. Need petition signed by decedent's two children or verified supplement with points and authorities as to why children would not also take under intestacy.

RECOMMENDATION:
Need verified supplement.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS003220

CASE NAME: ESTATE OF RALPH BATES PAUL

HEARING:
Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:
VIRGINIA RUTH PAUL (PET)...HORSPOOL & PARKER
RALPH BATES PAUL (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Petitioner requests that \$300,000 be placed in blocked account (total estimated value of decedent's estate). JTD
2. Need to file proof of publication.

RECOMMENDATION:

If approved, set hearing on proof of blocked account for 11/29/06. Set hearing on the filing of the inventory and appraisal for 4/25/07. Set hearing on accounting review for 10/24/07. Accounting to be filed 30 days in advance.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS01074

CASE NAME: MTR OF ELSPETH AMELIA JOHNSON

HEARING:
Hearing re Final Discharge

COUNSEL:
ELSPETH AMELIA JOHNSON (DEC)...
MARY E SMITH (PET)...DAVID W BROWN
D KEVIN PORTER (TP)...

GENERAL INFORMATION: continued multiple times. Last continued from 7-21-06. At the time of the 11-4-05 hearing counsel represented that he had just regained contact with his client and was now getting cooperation. Based on that the court continued the matter to 3-3-06. Nothing was filed for the 3-3 hearing and the court again continued the matter. Nothing new filed. It should be noted that the minute order says that this is set for final discharge. It is not. There has been no final accounting so there can be no discharge at this juncture. The matter is really set for the filing of a status report and/or accounting.

THIS CASE IS SET FOR HEARING ON O.S.C. re failure to file required documents/sanctions/removal of administrator.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The status report in this case is over **3 years** overdue and still has not been filed. Based on this the court set the matter for O.S.C. re failure to file document/sanctions/removal. At the time of the hearing on 11-4-05 Mr. Brown appeared and advised that he had now made contact with his client and got her cooperation. Nothing new has been filed. The clerk has again given notice.
2. Court cannot impose sanctions as sanctions are the result of contempt. Contempt orders must follow proof of personal service. Here we have repeatedly tried to serve the petitioner with a citation and have been unsuccessful. The court therefore ordered her attorney to give her notice. We have no proof in the file that counsel did

in fact notice her. Assuming that he did and so represents at the next hearing, suggest that the court merely remove her. There is no bonding company to notice.

RECOMMENDATION:

Remove the administrator upon showing of proof of service by Mr. Brown. If no service court may wish to remove the administrator without notice upon a finding of diligent effort to serve the administrator. The basis for removal would be long neglect of the estate.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS01496

CASE NAME: ESTATE OF BENITA BLACKWELL

HEARING:
FINAL DISCHARGE hearing continued.

COUNSEL:

REBA BREDEHORST	(PET)...	J STEVEN KENNEDY
BENITA BLACKWELL	(DEC)...	
MARK STERLING	(OBJ)...	ANNE SCANLON ZIMMERMAN
ANNA MARIE O'DELL	(J STEVEN KENNEDY)...J STEVEN

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS01726

CASE NAME: ESTATE OF LENORE B WILKE

HEARING:
Hearing re Final Discharge

COUNSEL:
DAVID WILSON (PET)...JANET M HERRING
LENORE B WILKE (DEC)...

GENERAL INFORMATION continued from 4-7-06 & 6-23-06. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of receipts and final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Appears receipts have been filed.
2. Need final discharge order.

RECOMMENDATION:
Require that final discharge order be filed.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02121

CASE NAME: ESTATE OF THELMA BERNARD

HEARING:
Hearing Re: STATUS.

COUNSEL:
MARILYN HICKMAN (PET)...KAREN A STEVENSON
THELMA NOLENE BERNARD (DEC)...

No file available for review.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02351

CASE NAME: ESTATE OF DAVID R RATTAI

HEARING:

OSC re: WHY COURTS ORDER OF 8-25-06 SHOULD NOT BE VACATED

COUNSEL:

ISABELLE M DEVITO (PET)...GERALD R LUNDBERG
DAVID R RATTAI (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC re Why Court's order of 8-25-06 should not be vacated

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. The petitioner's first & final report was approved and granted on 8/4/06. On court's own motion, this OSC date was set. Do not see where the order for final distribution has been signed filed (attached to left side of file). Proposed order appears sufficient. Not clear from the 9/5/06 Minute Order why this matter is set.

RECOMMENDATION:

None.

CIVCAL4 Victorville District
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE KURT J LEWIN

DATE: 10/20/06 TIME: 8:30 DEPT: VPR

CASE #: VPRVS02356

CASE NAME: ESTATE OF LEROY CHARLES LABARRE

HEARING:

Hearing Re: FILING OF STATUS REPT/ACCT (CONT FROM 12/9/05).

COUNSEL:

NICHOLAS LABARRE JR (PET)...DAVID W BROWN
LEROY CHARLES LABARRE (DEC)...
ROLLINDA STONE (SA)...FULLERTON, LEMANN, SCHAEFER &
LYNDA COOK (TP)...

GENERAL INFORMATION continued from 7-1-05, 9-30-05, 12-9-05 & 5-5-06. At the time of the 9-30-05 hearing, counsel appeared and indicated that as the decedent was a local attorney it has been difficult to locate all of his assets and clients. This is not relevant to the failure to file a status report/accounting. The **written report** is mandatory under Pr.C. § 12200 and shall contain all of the information required in Pr.C. § 12201. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review (from Nicholas Labarre)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter is set for accounting review. No accounting has been filed but Nicholas Labarre, Jr., is deceased having died on 4/19/06. A successor administrator (Rollinda Stone) was appointed on 9/15/06 and an accounting review date set for 11/9/07. Does court wish to require successor administrator to account or provide status report for prior administrator (Nicholas Labarre) for the period 6/4/04 – 4/19/06? Alternatively, successor administrator could account for the entire period at the review date set for 11/9/07. JTD

RECOMMENDATION:

Court's discretion.